

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

RICHARD KECK,

Plaintiff,

v.

PPL ELECTRIC UTILITIES CORPORATION,

Defendant.

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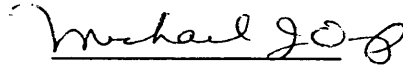
CIV. A. NO. 02-CV-4071

DEFENDANT'S MOTION FOR SUMMARY JUDGMENT

Pursuant to Federal Rule of Civil Procedure 56, and upon the accompanying Joint Stipulation of Facts and Defendant's Memorandum of Law in Support of Motion for Summary Judgment, Defendant PPL Electric Utilities Corporation ("PPL") hereby moves for an order entering summary judgment in its favor with respect to Plaintiff's Complaint in its entirety. As is set forth in more detail in the accompanying Memorandum of Law, PPL respectfully submits that Plaintiff's ADA claims are pre-empted by Section 301 of the Labor Management Relations Act, 29 U.S.C. §185, and by Plaintiff's failure to utilize, much less exhaust, the grievance and arbitration machinery of the applicable collective bargaining

agreement.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Michael J. Ossip", is written over a horizontal line.

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Dated: April 24, 2003